

Proposed Healthy Eating in Schools Measure

Analysis of consultation responses

This paper provides an analysis of the responses received to the consultation of the proposed Healthy Eating in Schools Measure.

Key points:

- Whilst there was support for the general principle and key provisions of the proposed Measure, many respondents expressed concern that now was not the right time for legislation.

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1. Consultation process

On 16 May 2008, a consultation letter was issued seeking written comments on the general principles of the proposed Healthy Eating in Schools Measure. The consultation sought views on:

- Whether there is a need for an Assembly Measure to promote healthy eating in schools in view of existing initiatives within this policy area;
- Whether there was support for the key provisions set out in the proposed Measure;
- The practical implications of putting the provisions in place;
- Whether there are further provisions that should be added to the proposed Assembly Measure; and
- Whether the proposed Assembly Measure will achieve its overall purpose and aim.

The consultation period ended on 20 June 2008, 42 responses were received.

- 16 from local authorities, these included responses from those responsible for education and catering services;
- 15 from representative bodies such as trades unions;
- 11 from other interested bodies and persons.

2. Analysis of responses

2.1 General Principles

Whilst there was broad support for the general principles and the key provisions of the proposed Measure, there was a significant amount of evidence that introducing the proposed Measure at this time would be premature, and that it would be better to await the lessons learned from the Appetite for Life Research Project before introducing legislation. There was some concern that the proposed Measure could undermine the work already taking place under Appetite for Life. A minority of respondents stated that it was important to place the actions of Appetite for Life on a statutory footing.

2.2 Other comments

Other general comments on the proposed Measure included:

- The proposed Measure would place considerable administrative and financial burdens on those involved in implementing its provisions;
- The quality of the dining experience is an important factor in encouraging pupils to eat school meals, including:

- The quality of dining halls and kitchen facilities;
- The length of lunch hours, which some felt were being shortened;
- The length of time taken to queue for meals was an issue;
- Mobile food vans in close proximity to schools and allowing pupils off the school site during lunch breaks would lessen the impact of the proposed Measure.

Most respondents provided more detailed comments on the proposed Measure, the main points are summarised below. A more detailed breakdown of the responses is attached at Annexe A.

2.3 Section 1 - Duties in relation to the promotion of healthy eating in schools

There was general support for the duties in relation to the promotion of healthy eating. Other comments included:

- Head teachers may be held responsible for the standards of school meals but they have no control over their content;
- There should be a further duty to promote food safety;
- The duties would cause greater workloads for schools and local education authorities.

2.4 Section 2 - Further duty on the Welsh Ministers

A number of respondents expressed concern that food brought into the school by pupils for their own consumption was explicitly excluded from the proposed Measure. Many respondents felt that this would undermine the impact of the proposals. In relation to the curriculum:

- More teachers/advisers with specialist cookery/food technology skills will be needed;
- Pupils should have practical cookery skills, for which schools may not have the necessary facilities.

2.5 Section 3 - Meaning of “healthy eating”

There was support that the definition supported sustainability, but concern over the availability and practicality of using local produce.

2.6 Sections 4, 5 and 6 - Inclusion in governors' reports of information on the promotion of healthy eating, functions of the Chief Inspector of Schools and Reports by the Welsh Ministers

- There was broad support for the proposed inspection and reporting arrangements;
- There was widespread concern whether Estyn has the appropriate expertise to make the necessary judgments in relation to nutritional standards;
- There was also concern over the criteria by which schools would be judged by Estyn;

- Reporting and inspection arrangements are seen as important as it will ensure that priority is given to healthy eating in schools.

2.7 Section 7 - Requirements for food and drink provided on school premises etc.

Clarification is needed over how the standards will relate to other food provided in schools including food in vending machines and tuck shops and food provided for social occasions;

- More stringent nutritional standards would lead to higher costs;
- There was support for the incremental approach of introducing the standards.

2.8 Section 8 - Drinking water in schools

- There was widespread support for the provisions relating to drinking water;
- There were concerns over on-going maintenance costs of water coolers;
- The poor condition of school toilets and the location of some drinking fountains could deter pupils from drinking water during the school day.

2.9 Section 9 - Promotion of meals in schools and other educational establishments

There was widespread support for these provisions, some respondents felt that consideration should be given to providing all pupils with free school meals which would increase the take up of healthy meals.

2.10 Section 10 - Protection of the identity of pupils receiving free school lunches

There was wide support for protecting the identity of pupils, there was some concern that there would be additional costs and training needed to introduce a cashless system.

Annexe A – Responses to the proposed Healthy Eating in Schools Measure consultation

1. General Principles

1.1 Welsh Local Government Association and Association of Directors of Education in Wales

Have concerns that the Measure if passed could undermine the work that is on-going under Appetite for Life, both would like to see a continuation of the Appetite for Life Action Plan with the possibility of revisiting the statutory approach in the future, if it is required.

1.2 Bridgend County Borough Council

The Measure would be a positive step as it would impose a duty on heads and governing bodies to promote healthy eating and would support the caterer. However, if the Measure was implemented in September 2010 it would give extra time to develop and train staff. Need to learn from the Appetite for Life Research Project, if timings are not correct there could be a negative effect on the success of Appetite for Life.

1.3 Governors Wales

Governors Wales endorses the overall purpose and aim of the proposed Measure.

1.4 Carmarthenshire County Council, Head of Resources Management

Generally support the key provisions, but there needs to be additional funding to change a commercial service into a health and well-being service.

1.5 Cardiff Institute of Society, Health and Ethics (CISHE)

CISHE welcomes the Measure as existing arrangements fail to ensure that all schools accord healthy eating the priority it deserves and are not required to have regard to guidance or scientific advice.

1.6 British Medical Association Wales (BMA)

The BMA welcomes the Measure.

1.7 Diabetes UK

Diabetes UK supports the proposed Measure as an important contribution towards promoting healthy eating and thereby reducing the risk of an increase in Type 2 diabetes among children.

1.8 Children's Commissioner for Wales

Welcome the all school approach and support the use of an incremental approach which will need to be accompanied by clear explanations of the changes being made and the benefits that are expected. The proposals in the Measure however, do treat children and young people as passive consumers of school food.

1.9 Conwy Education Services

Legislation is the only way to guarantee consistency of service across all schools. However, this needs to be supported by local initiatives to ensure that pupils do not 'vote with their feet'.

1.10 National Confederation of Parent Teacher Associations (NCPTA)

The NCPTA is supportive of the move to improve the quality of food provided in schools in Wales. However, they would highlight the need to work in partnership with parents to retain their goodwill and influence their behaviour.

1.11 Cardiff Council, Schools and Lifelong Learning Service

There is no need for legislation on school meals. The Appetite for Life Research Project will inform any future legislation and will allow opportunity to consult with pupils, parents, schools and catering providers. Legislation should not be considered until the research phase of Appetite for Life is complete and an analysis of the impact of similar legislation in other countries on the take up of school meals concluded.

1.12 Torfaen County Borough Council

The Council is generally supportive of the proposed Measure but feels that this is not the appropriate time to introduce it because of the extensive Appetite for Life Research Project.

1.13 The Royal College of Nursing

The Royal College of Nursing believes that the proposed Measure will promote a holistic approach and clear ownership of actions leading to higher standards of healthy eating in schools. Many of the proposals will have a positive impact. There will need to be effective communication with schools to inform them of the changes.

1.14 Children in Wales

Broadly agree that there is a need for a Measure. There is also a need to strengthen the requirement for compliance amongst key stakeholders in relation to activities previously outlined in existing related policy guidance and action plans.

1.15 Pembrokeshire County Council, Catering Services Manager

There is no need for an additional formal Measure to promote healthy eating in schools. There is support for the key provisions which are similar to the expectations under Appetite for Life.

1.16 National Federation of Women's Institutes – Wales (NFWI)

NFWI welcomes the proposed Measure and supports the key provisions.

1.17 Powys County Council, Head of Local and Environmental Services

There is no need for an additional Measure as school meal providers are already working within existing legislation. Guidance and partnership working has been sufficient and worked well. The key provisions of the proposed Measure are supported as they are similar to those outlined in the Appetite for Life Action Plan. The key difference is that Appetite for Life allows for a period to try and test the actions to ensure they are workable before regulation.

1.18 Merthyr Tydfil, Director of Integrated Children's Services

There is no need for an additional Measure as school meal providers are already working within existing legislation. Guidance and partnership working has been sufficient and worked well. The key provisions of the proposed Measure are supported as they are similar to those outlined in the Appetite for Life Action Plan. The key difference is that Appetite for Life allows for a period to try and test the actions to ensure they are workable before regulation.

1.19 Snack Nut and Crisp Manufacturers Association (SNACMA)

SNACMA are fully supportive of the proposed Measure.

1.20 Welsh Food Alliance

The Welsh Food Alliance believes that there is a need for the proposed Measure. The proposed Measure will make other parts of the school community and governors take responsibility for the nutritional status of pupils which has historically sat with the school caterer.

1.21 Food Standards Agency (FSA)

The FSA notes that the proposed Measure would give a statutory basis to aspects of the Appetite for Life Action Plan, and that the Research Project is likely to provide evidence to inform future decision by the Assembly on the development and implementation of Measures.

1.22 Which?

Which? Considers that the proposed Measure is necessary to give a legal basis to the Appetite for Life standards and ensure their effective implementation. They agree with the key provisions.

1.23 Association of School and College Leaders (ASCL)

ASCL members do not support the proposed Measure.

1.24 Association of Teachers and Lecturers (ATL)

It is necessary and timely that the proposed Measure be introduced to enable the coordination of current initiatives in this area.

1.25 Local Authorities Catering Association (LACA)

There is no need for an additional Measure as school meal providers are already working within existing legislation. Guidance and partnership working has been sufficient and worked well. The key provisions of the proposed Measure are supported as they are similar to those outlined in the Appetite for Life Action Plan. The key difference is that Appetite for Life allows for a period to try and test the actions to ensure they are workable before regulation.

1.26 ContinYou

The Appetite for Life Action Plan sets out the strategic direction and actions required to improve the nutritional standards of food in schools. Changes to the provision of food in schools will not, on its own, make children more healthy. A Measure may assist in making things happen but will not be sufficient on its own.

1.27 Isle of Anglesey County Council, Food and Nutrition Partnership Group

The Partnership Group welcomes the proposed Measure – it confers powers on head teachers that will enable them to implement their schools' policies of health and fitness and reinforces the aims of Appetite for Life. However, the proposed Measure should go hand in hand with an action on fitness.

1.28 Farmers' Union of Wales (FUW)

There is a need for an overarching approach to healthy eating, the proposed Measure would help to implement some of the policies in Appetite for Life. The FUW fully supports the key provisions set out in the proposed Measure.

1.29 Monmouthshire County Council, Healthy Schools Coordinator

Welcome the proposed Measure as it is an essential mechanism in ensuring many of the proposals in Appetite for Life would be made statutory.

1.30 Rhondda Cynon Taf, Director of Education and Lifelong Learning

Although the Authority supports the key provisions, the proposed Measure would not be particularly constructive or helpful at this time.

1.31 Denbighshire County Council

There is a danger that the proposed Measure could be counter productive.

1.32 Ceredigion County Council

The holistic approach of the proposed Measure is welcomed, however, it is urged that lessons be learnt from the Appetite for Life Action Plan Research Project prior to the Measure being agreed and further regulations and guidance being issued.

1.33 Newport Appetite for Life Working Group

Generally supportive of the proposed Measure which will ensure there is a coordinated and whole school approach to healthy eating.

1.34 British Dietetic Association

The principle of the proposed Measure (that it will build on and enhance the existing relevant legislation and guidance related to the promotion of healthier eating in schools) is to be welcomed.

There is concern however, that the scope of the Measure is too narrow to achieve a whole school approach. An 'All school' approach needs to encompass the wider school community and all partner organisations that work with schools.

1.35 Minister for Children, Education, Lifelong Learning and Skills

Appetite for Life brings together and promotes the raft of policies the Welsh Assembly Government already has in place to support healthy eating in schools.

2. Other comments on the proposed Measure

2.1 UCAC

Some school kitchens need to be improved.

2.2 Vale of Glamorgan - Chief Executive

Would not support the Measure, local authority priorities should be focussed on educational outcomes and quality of school buildings – the Measure would detract from this. The Vale already has excellent nutritional standards and are working with parents and pupils to change eating habits – imposed nutritional standards could reduce the uptake of school meals and an increase in less nutritious packed lunches.

2.3 Vale of Glamorgan, Director of Learning and Development

Concerns about the measure and the bureaucratic burden on local authorities and others. The costs involved should be saved and redirected to set a minimum, Welsh Assembly Government funded value for school meals in Wales.

2.4 UCAC

The Welsh Assembly Government should fully fund the implementation of the Measure.

2.5 Bridgend County Borough Council Catering Services

Issues need to be addressed before inspection regimes are introduced:

- Lack of funding for refurbishment of dining halls;
- Staggered lunches so pupils can enjoy the dining experience;
- Off site eating which is allowed in most secondary schools

2.6 Governors Wales

It might be appropriate that schools produce a food policy incorporating the principles of healthy eating.

2.7 National Association of Head Teachers (NAHT)

By making healthy eating a legal requirement it will increase the workload and accountability of heads. Issues such as whether a school is doing enough to promote healthy eating are open to interpretation and could result in it being decided in a court of law. The NAHT do not feel that legislative powers are the way forward. Members are supportive of the concept of health eating in schools, the NAHT feel that the proposed Measure would:

- Disproportionately penalise schools in deprived areas;
- Damage goodwill and undermine existing initiatives;
- Make headteachers and governors accountable for a service over which they have no direct control.

2.8 Carmarthenshire County Council, Head of Resources Management

There is need to continue to promote and support healthy eating, however, if this becomes statutory then the initiative will require additional funding to provide equality of service across Wales and invest in the infrastructure (school kitchens and the lack of provision and facilities in some cases).

Aesthetics of dining rooms/halls need to be improved. Queuing is a major problem. There is a need for additional funding to provide fresh, local products.

2.9 Cardiff Institute of Society, Health and Ethics (CISHE)

Welcome the Measure, although its success will be critically determined by high quality guidance and support mechanisms.

2.10 British Medical Association Wales (BMA)

There should be a sustained and consistent public education campaign to improve parents and children's understanding of the benefits of healthy living. There should be funding to establish and sustain training programmes for those involved with the care of children with obesity. Increased

funding and improved access to sport and recreation facilities within schools and communities. The protection of playing fields should be strengthened.

2.11 British Heart Foundation Cymru

The development of school level food policies will help schools achieve consistency of messages and provide clarity for parents as to schools' expectations. Appropriate professionals (registered dieticians and nutritionists) need to be involved in the delivery of the Measure to ensure the quality of the implementation of training, nutritional analysis and support for catering staff.

2.12 Children's Commissioner for Wales

There is a need for more time to eat lunch and have improved dining areas. Other issues that could be considered for inclusion in the proposed Measure are:

- Research into meeting the need of dietary requirements of ethnic minority and other pupils with specific dietary needs;
- Consideration of banning mobile food vans from school premises and the immediate areas;
- Greater involvement of pupils.

2.13 Cardiff Council, Schools and Lifelong Learning Service

Any consideration on the future of school meals should protect the time children have to eat their meals.

2.14 Conwy Education Services

Funding is required to ensure the infrastructure of catering facilities are capable of preparing revised food and nutrient based standards. In order to facilitate larger delivery, there will need to be a staggered lunch-break. Consideration needs to be given to how the healthy eating message is conveyed – less emphasis on banning foods and more emphasis on the importance of eating a balanced diet.

2.15 Estyn

The quality of the dining experience affects whether or not pupils choose to have school meals. Other factors include freshness of food, queues, length of dinner break, the attractiveness of the dining hall, small tables, food served on individual plates and members of staff dining with pupils. Kitchens may require investment in new facilities. The scope of the proposed Measure is too narrow to address all matters relating to healthy eating, in particular there are environmental factors that affect what pupils eat and drink during the school day.

2.16 Torfaen County Borough Council

Torfaen would like to see a statutory requirement:

- For food and fitness policies for all schools;
- To regulate the length of the lunch period to 1 hour.

2.17 Children in Wales

There may be implications for families who are not entitled to free school meals but are income poor, clarity is required in terms of the potential costs for families under the new arrangements.

2.18 Pembrokeshire County Council, Catering Services Manager

Main concerns are trying to implement proposals within the financial and cultural constraints that exist. The personal choice of older children will mirror their choices at home. Many schools rush lunch time so children do not see eating as a social event. The provision of free school meals for all would be a leap forward in the world of health and nutrition.

2.19 National Federation of Women's Institutes – Wales (NFWI)

Essential to educate parents about the importance of healthy eating and for them to influence their children to eat healthy food in the home.

2.20 Powys County Council, Head of Local and Environmental Services

The main concern is the financial aspects and implications on existing budgets together with the time frame for bringing in the regulation. Many kitchens need upgrading or replacing. There will be an increased cost of buying food to meet the new standards. The school meals service is being singled out as the way forward to improving children's diets when school meals represent only a third of the food they eat. Time and funding will be required to engage with pupils. There should be legislation to ensure that the lunch hour is a minimum of 1 hour. Free school meals should be available for all pupils.

2.21 Merthyr Tydfil, Director of Integrated Children's Services

The main concern is the financial aspects and implications on existing budgets together with the time frame for bringing in the regulation. Many kitchens need upgrading or replacing. There will be an increased cost of buying food to meet the new standards. The school meals service is being singled out as the way forward to improving children's diets when school meals represent only a third of the food they eat. Time and funding will be required to engage with pupils. There should be legislation to ensure that the lunch hour is a minimum of 1 hour. Free school meals should be available for all pupils. There should be clear guidelines or policy relating to keeping Years 7, 8 and 9 in schools at lunch times.

2.22 Snack Nut and Crisp Manufacturers Association (SNACMA)

SNACMA fully supports the initiative to improve diets of pupils as part of a wider programme of improving their health through increased physical activity and better health education.

2.23 Food Standards Agency (FSA)

The emphasis is largely on promotion of better diets and the success of the proposed Measure may be in part dependent on ensuring awareness of healthier eating is reinforced by improved practical skills and facilitation of behavioural change. Increased uptake of meals and improvements of the quality of food may have financial consequences and full compliance will also potentially mean additional administrative burdens on school and LEA staff. An appropriate additional provision would be a duty on LEAs to ensure adequate hand-washing facilities are available and to promote good hygiene practice by children and food handlers.

2.24 Which?

The proposed measure should go further in setting out the way that foods are promoted in schools – food related promotions should be consistent with healthy eating messages.

2.25 Association of School and College Leaders (ASCL)

Many schools do not have the dining/catering facilities which will meet the aspirations of the healthy eating agenda. Guidance to Ministers should provide that regulations must reflect the culture and traditions of Wales and the school – eg food produced for fetes, parties etc.

2.26 Association of Teachers and Lecturers (ATL)

A provision for 'safe' food needs to be added to the proposed Measure.

2.27 Local Authorities Catering Association (LACA)

Main concerns are trying to implement proposals within the financial and cultural constraints that exist. The personal choice of older children will mirror their choices at home. Many schools rush lunch time so children do not see eating as a social event. The provision of free school meals for all would be a leap forward in the world of health and nutrition.

2.28 ContinYou

There is a need to promote and enable healthier eating within the community and families. There is a need to move towards healthy eating in a way that is meaningful and will result in lasting changes and not just during school meals. Guidance, advice and funding solutions within communities and not just schools should be available.

2.29 Isle of Anglesey County Council, Food and Nutrition Partnership Group

There should be a specific time set for lunch breaks.

2.30 Monmouthshire County Council, Healthy Schools Coordinator

The expectation that schools should have a food and fitness policy should be a statutory requirement.

2.31 Denbighshire County Council

The Welsh Assembly Government need to provide extra financial investment to improve dining rooms and kitchens and directly subsidise school meals.

2.32 Ceredigion County Council

Food provided must satisfy food safety requirements. Any Measure should be robust enough to ensure that its requirements could be adequately included in contracts taken out by LEAs and governing bodies for catering services by external providers as well as in-house services.

2.33 National Federation of Women's Institutes – Wales (NFWI)

Take up may be low because of queuing and dining facilities. There may be poor or non-existent kitchen facilities in some schools. No provision has been made to monitor food waste – pupils may have a healthy meal on their plate, but they may not eat it.

2.34 Newport Appetite for Life Working Group

The whole school food policy should address education and guidance for parents and children regarding healthy choices. The timing of the proposed Measure needs to be considered, regulations should be communicated early so schools and families can be aware of forthcoming change. Improved dining facilities are a prerequisite to attract pupils to use them. The potential of extending lunch times may provide an opportunity to engage young people.

2.35 British Dietetic Association

It is unclear how this will link to Appetite for Life and other existing initiatives within this policy area which is important if it is going to build on and enhance these. Some Appetite for Life implementation groups are looking at both food and fitness. It would be a backwards step to look at food/healthy eating in isolation. Local Authorities do not currently have the necessary nutritional/health expertise to interpret guidance and advice or resources to implement such a Measure by themselves and the Measure does not reflect the partnership approach to achieving change. Length of meal times and queuing are the biggest barriers to pupils being able to choose to eat a balanced, nutritious meal and it is important that this is looked at in the Measure, particularly length of lunch hour. Incorporate activity as well as healthier eating. Consideration needs to be given to food sold immediately outside the school grounds. Consideration will also need to be given as to how the 'healthier eating' message is conveyed, i.e. less emphasis on the banning of food and more emphasis on the importance of eating a balanced, varied diet.

3. Section 1 - Duties in relation to the promotion of healthy eating in schools

3.1 UCAC

Who will determine what is reputable and relevant scientific advice?

3.2 Governors Wales

Governors Wales is supportive of the proposals for greater consultation and generally supportive of the duties on Ministers, head teachers, governing bodies and LEAs, but emphasise the need to be mindful of not creating additional workload and increased bureaucratic processes.

3.3 National Association of Head Teachers (NAHT)

Having taken regard of the views of the school council - headteachers and governors have no control of quality, content etc of school meals. This is managed for schools by nutritional experts.

3.4 Cardiff Institute of Society, Health and Ethics (CISHE)

Effective school action to promote healthy eating will benefit pupils' educational performance and long term health. Guidance mentioned in Section 1(3) will be important in helping schools and local authorities to identify effective action. Research evidence is emerging highlighting the importance of:

- Training and engaging lunch-time supervisors to support healthy eating;
- Multiple actions to promote healthy eating;
- Reinforcing actions such as fruit tuck shops with policies such as restrictions on food that pupils can bring into schools.

3.5 British Medical Association Wales (BMA)

Welcomes the duties on Ministers, local education authorities, governing bodies and headteachers, however, they are concerned that there is very little engagement with pupils. The proposed Measure could be improved by placing a duty to consult with student representatives through school councils or Funky Dragon.

3.6 British Heart Foundation Cymru

To be a holistic approach, the proposed Measure needs to address the totality of food in schools, this means food brought into schools by pupils (lunch boxes) and other food entering the school, eg food bought by pupils on the way to school, birthdays, celebrations. The use of food by teachers as a reward also needs to be regulated.

3.7 Children's Commissioner for Wales

Children and young people need to participate fully in the development of healthy eating approaches.

3.8 Conwy Education Services

Support these provisions, however this is an extension of governors' responsibilities and would require initial training. LEAs would need support in implementing/delivering the proposed Measure and would need to elect personnel to coordinate the activity county wide. The proposed Measure needs to promote a whole school approach to food, fitness and health and recognise that pupils need to be part of the decision-making and implementation process.

3.9 Torfaen County Borough Council

The Council supports the proposals that Ministers, governing bodies, schools and LEAs should promote healthy eating in schools. The expectation that schools should have a food and fitness policy should be a statutory requirement.

3.10 Estyn

The proposed duties build on existing duties and action being led by the Welsh Assembly Government.

3.11 Children in Wales

Section 1(3) (c) (1) – there is a need to clarify the term 'time to time' – schools councils should be consulted at least annually and pupils have other opportunities to contribute to the dialogue.

3.12 Snack Nut and Crisp Manufacturers Association (SNACMA)

SNACMA agree that there is a duty on Ministers, governing bodies, head teachers and local education authorities to promote healthy eating in schools.

3.13 Welsh Food Alliance

The WFA believe that with school children and young people there is an opportunity to directly improve health and reduce intergenerational health inequalities. They draw attention to the contribution school meals make to addressing low birth weight and the key role of head teachers in increasing the uptake of school meals. Other aspects affecting the provisions are dining room capacity, the time allowed for school lunch and pupils eating with teachers to provide a social context.

3.14 Food Standards Agency (FSA)

The duty should be expanded to promote healthy and **safe** eating in schools.

3.15 Association of School and College Leaders (ASCL)

Responsibility for school meals rests with the LEA or a private firm. The head teacher does not have expertise. Given the possibility of litigation against the head teacher, the proposed Measure should place responsibilities and duties on the governing body and not the head teacher.

3.16 Isle of Anglesey County Council, Food and Nutrition Partnership Group

Supportive of this – it would encourage working in partnership and make partnerships more robust ensuring that healthy eating is a priority for all.

3.17 Farmers' Union of Wales (FUW)

Encouragement should be given to LEAs to develop imaginative ways of promoting healthy eating that incur negligible costs.

3.18 Monmouthshire County Council, Healthy Schools Coordinator

Through providing guidance there will be a committed, consistent approach across the authority. Important that guidance refers to incidental activities such as school visits etc.

4. Section 2 - Further duty on the Welsh Ministers

4.1 UCAC

There will be no means for the Measure to address the food that pupils bring from home. More teachers who have specialised in cookery/food technology are needed. Not every primary school has access to school's kitchen equipment.

4.2 Carmarthenshire County Council, Head of Resources Management

The reintroduction of Home Economics into the curriculum would ensure that children know how to cook fresh food.

4.3 British Medical Association Wales (BMA)

Food education and the acquisition of related practical skills should be made compulsory.

4.4 British Heart Foundation Cymru

Strengthening the inclusion of nutrition in the curriculum in order to reinforce healthy eating messages will help join up theory with practice.

4.5 Conwy Education Services

Local authorities need specialist education advisors or equivalent to strengthen and support curriculum developments. Current Design and Technology teachers do not necessarily have the expertise, guidance or resources to deliver increased food and nutrition in the curriculum and teacher training will need to be addressed. The curriculum should be developed to incorporate knowledge and skills, effective methods of nutrition education, provision of healthier choices marketing and promotion and inclusion of the whole school environment. The inclusion of OCN qualifications in food and nutritional skills and practical cooking skills would benefit pupils and staff.

4.6 Torfaen County Borough Council

Some of the issues will be addressed through the new curriculum which will require additional training for school staff, the availability of appropriate facilities and equipment and the revision of school short term planning for curriculum provision. Torfaen would like to see a statutory requirement to regulate packed lunches provided by parents.

4.7 National Federation of Women's Institutes – Wales (NFWI)

Imperative that young people's perception of food includes practical work about food and basic cooking skills. Suggest that an allowance is allocated to free school meal pupils to buy ingredients for practical food lessons.

4.8 Welsh Food Alliance

There is no food specialist in ACCAC – this issue must be addressed if food and related subjects are to be taken seriously.

4.9 Monmouthshire County Council, Healthy Schools Coordinator

Some of the issues will be addressed through the new curriculum which will require additional training for school staff, the availability of appropriate facilities and equipment and the revision of school short term planning for curriculum provision.

4.10 Powys County Council, Head of Local and Environmental Services

Packed lunches should be included in any regulation or legislation.

4.11 Merthyr Tydfil, Director of Integrated Children's Services

Packed lunches should be included in any regulation or legislation.

4.12 Local Authorities Catering Association (LACA)

There should be more control for schools to challenge parents on provision of unhealthy packed lunches.

4.13 Isle of Anglesey County Council, Food and Nutrition Partnership Group

Not including food brought into the school will dilute the proposed Measure.

4.14 Cardiff Institute of Society, Health and Ethics (CISHE)

It will make it more difficult for school measures to improve healthy eating to be effective if pupils are still able to bring unhealthy foods to school. This is detrimental for the pupil concerned and on the critical aspect of changing the norms and acceptability among pupils.

4.15 British Heart Foundation Cymru

The proposed Measure needs to address the totality of food in schools, this means food brought into schools by pupils (lunch boxes).

4.16 Association of Teachers and Lecturers (ATL)

Would like to see more emphasis placed on educating children about the benefits of healthy eating to encourage rather than direct. ATL would like to see a provision for pupils to be educated about where healthy food can be obtained from, outside school. Pupils need to be taught to cook and prepare food for themselves. Currently there are not enough facilities to do this.

4.17 Pembrokeshire County Council, Catering Services Manager

There should be more control for schools to challenge parents on provision of unhealthy packed lunches.

4.18 National Confederation of Parent Teacher Associations (NCPTA)

The standards in England are likely to cause conflict with parents over packed lunches and the NCPTA is concerned that parents are expected to exclude foods from packed lunch boxes. They are delighted that there should be no restriction on food brought into schools in the proposed Measure.

4.19 Denbighshire County Council

In some schools, take up rates of school meals are as low as 50% - attention needs to be given to other food consumed on school premises.

4.20 Newport Appetite for Life Working Group

Need further clarification on food brought into school for celebratory occasions. Catering provision may be undermined by the food choice pupils bring from home.

4.20 Ceredigion County Council

There remains little control over packed lunches and mobile vans and pupils leaving school at lunch times.

4.21 British Dietetic Association

If the measure is solely for food sold on the school premises, and is not 'fully holistic', pupils will bring in their own 'unhealthy choices' or purchase outside. Current design and technology teachers do not necessarily have the expertise to deliver increased food and nutrition in the curriculum and teacher training will need to be addressed. Local Authorities need specialist Education advisors or equivalent to strengthen and support the curriculum developments.

4.22 Minister for Children, Education, Lifelong Learning and Skills

As part of the revised Design and Technology Order in the new school curriculum to be implemented from September 2008, food will become a compulsory material in the programmes of study for Key Stages 2 and 3. The Foundation Phase will provide children with the opportunity to develop their understanding that exercise and hygiene and the right types of food and drink are important for healthy bodies.

5. Section 3 - Meaning of "healthy eating"

5.1 British Medical Association Wales (BMA)

The BMA believes that the proposed Measure does promote the principles of sustainable development in the provision of healthy school food.

5.2 British Heart Foundation Cymru

The British Heart Foundation Cymru supports the measures outlined to incorporate issues of the environment sustainability into the proposals for healthy eating in schools. In particular the BHF Cymru believe that it needs to emphasise sustainable good practice regarding fish.

5.3 Newport Appetite for Life Working Group

In reference to local procurement, there is no infrastructure to purchase even the most basic of ingredients that are manufactured or grown in Wales.

5.4 British Dietetic Association

The definition of the term healthy eating needs to include 'balanced, affordable, nutritious and sustainably produced'. If there is no reference to locally produced or locally sourced food will this undermine any guidance that may be included in the Quality of Food action plan later this year.

6. Sections 4, 5 and 6 - Inclusion in governors' reports of information on the promotion of healthy eating, Functions of the Chief Inspector of Schools and Reports by the Welsh Ministers

6.1 Welsh Local Government Association and Association of Directors of Education in Wales

The current Appetite for Life approach allows for partnerships to be built – this approach will be more successful at ensuring whole school buy-in rather than stringent reporting mechanisms. Reports on developments should only be submitted by governing bodies for three years.

6.2 UCAC

The school's policy and effort should be inspected, rather than achievement, there are many factors that influence healthy eating and it is not possible to force young people to eat healthily. The cost of inspectors who specialise in nutritional standards should be considered.

6.3 Bridgend County Borough Council Catering Services

The inspection regime would raise the priority of school meal provision, but there are concerns about the criteria that Estyn would use to inspect provision and the expertise required by an inspection team to arrive at meaningful and informed judgements. Information from inspections provided to parents about the challenges experienced by caterers could be misconstrued and result in low morale in catering teams and negative media coverage.

6.4 Governors Wales

Governors Wales is supportive of the proposals for reporting requirements on governors and heads.

6.5 National Association of Head Teachers (NAHT)

In reality, headteachers compile Governors' Annual Reports. NAHT has serious concerns that schools will be judged in the inspection system on whether there has been an increase in the uptake of school meals. This is a matter beyond the control of schools and a choice for parents. Headteachers have no control over nutritional content and Estyn inspectors are unlikely to be qualified to make such judgements.

6.6 Cardiff Institute of Society, Health and Ethics (CISHE)

Reporting and inspection arrangements are important as this will ensure that schools accord healthy eating the importance it deserves. However, Sections 4, 5 and 6 do not require governors, headteachers, Estyn or Ministers to report on whether steps taken to promote healthy eating are in accordance with the guidance and advice called for in Section 1(3). Schools, Estyn and Ministers are required to report on the extent to which there appears to be an increase in healthy eating, but details of how the data is to be collected are not given. The costs of collection should not be underestimated and the value of data will be limited unless they are collected following a well designed protocol. It may be more efficient to require schools, Estyn and Ministers to collect data on actions taken and the extent to how the actions follow the guidance, with another independent mechanism used to identify impact of healthy eating.

6.7 British Medical Association Wales (BMA)

The BMA agrees with the reporting requirements, but recognise that this will place an additional burden which will need to be fully recognised.

6.8 British Heart Foundation Cymru

Estyn will need support/training from registered dietitians/nutritionists to ensure that they are able to fulfil the reporting requirements adequately. More clarity is needed on how an increase in healthy eating will be measured. Schools progress reports should include an action plan to rectify issues that it may highlight regarding difficulties in meeting the healthy eating requirements of the proposed Measure.

6.9 Children's Commissioner for Wales

Agree with the proposed duties, responsibilities and reporting requirements, but feel that head teachers and governors should report to school councils on an annual basis. Would like clarification on what, if any scrutiny there will be of the Welsh Ministers on the steps that they have taken to promote healthy eating. There is a need to discuss which body could take an overview of healthy eating measures in schools.

6.10 Conwy Education Services

Welcome the inspection and reporting requirements as it raises the status of healthy lifestyles, but inspectors would need training to ensure consistency of approach. It is important that Estyn inspects all aspects of school food if it is to be integral to the school, not just school meal standards, but also changes to the curriculum. Families should be engaged with, rather than reported to. The method of reporting should be clear as will how the increase in healthy eating will be measured.

6.11 Estyn

Additional inspection requirements would not be in line with the general policy of slimming down and rationalising the inspection of public services in Wales. Including a nutritionist on every inspection team would be very costly. Estyn recommends carrying out specific thematic survey work to evaluate progress schools are making. Estyn could work in partnership with the Food Standards Agency and Healthcare Inspectorate Wales as appropriate.

6.12 Torfaen County Borough Council

Agree that healthy eating should be part of the inspection and reporting process, but it is essential that Estyn is suitably trained and qualified to implement this. The inspection of menus, breakfast against the standards should not be included unless the school has a delegated budget. The criteria that Estyn use must be made readily available.

6.13 Powys County Council, Head of Local and Environmental Services

How are Estyn going to measure and judge the extent to which there appears to have been an increase in healthy eating?

6.14 Snack Nut and Crisp Manufacturers Association (SNACMA)

SNACMA agree that incorporating healthy eating into the inspection routine is an effective way to raise standards.

6.15 Welsh Food Alliance

The Welsh Food Alliance would be concerned if the inspection regime simply involved a tick box approach to monitoring and evaluation. It is recommended that Wales should follow the Scottish model with dedicated food specialist Estyn inspectors.

6.16 Association of School and College Leaders (ASCL)

ASCL does not support the requirement for Estyn to inspect school meal provision. There are difficulties in recruiting qualified personnel to conduct the inspection, and the costs of inspection will be higher.

6.17 ContinYou

If Estyn are to report on school food there will be a need for inspectors to fully understand the context, implications and challenges that schools, families and the wider communities face.

6.18 Isle of Anglesey County Council, Food and Nutrition Partnership Group

This would give status to the 'whole school' picture. Estyn inspectors who do not have expertise should receive training and schools receive support and assistance at local and national level. Welcome the inclusion of reporting requirements for governing bodies, but this should be tied in with fitness.

6.19 Farmers' Union of Wales (FUW)

Concerns about increased paperwork and time. There is a need for very concise and personal monitoring within schools to accomplish the proposals.

6.20 Monmouthshire County Council, Healthy Schools Coordinator

Agree that healthy eating should be part of the inspection and reporting process, but it is essential that Estyn has suitably trained and qualified inspectors to implement this. The inspection of menus and breakfast against the standards should not be included unless the school has a delegated budget. The criteria that Estyn use must be made readily available.

6.21 The Royal College of Nursing

The requirement to report annually on progress will ensure that focus is maintained.

6.22 Newport Appetite for Life Working Group

Important that a dietician should be part of the inspection team if nutritional standards are scrutinised.

6.23 British Dietetic Association

What will be the repercussions for non-compliance? There will need to be agreement regarding how the information is collected and recorded to ensure consistency and validity across Wales. It is important to include all aspects of school food as part of Estyn inspection if it is to become integral to the school. This will need to include not only school meal standards, but also changes to the curricula, other aspects of school meals and school food policy attainment.

6.24 Minister for Children, Education, Lifelong Learning and Skills

Estyn inspectors have been required to comment on whether a school has arrangements that encourage and enable learners to be healthy since April 2007.

7. Section 7 - Requirements for food and drink provided on school premises etc.

7.1 Welsh Local Government Association and Association of Directors of Education in Wales

If the Measure is introduced, the incremental approach that is currently being taken could be altered which will have a financial impact. The Appetite for Life approach should be continued to fully assess the financial implications of new nutritional standards. Local authorities need to be given flexibility to work with their schools to introduce new nutritional standards in a way that is appropriate to local circumstances.

7.2 UCAC

Social occasions could cease if it is not possible to make exceptions to the maximum permitted levels in food prepared for pupils. It is difficult to control food standards on trips and visits.

7.3 Governors Wales

Governors Wales is supportive of the proposals for consultation prior to making regulations. They would like further clarification on the requirements of nutritional standards on food being sold by a PTA on social occasions. The nutritional standards will lead to higher costs which should be met by the Welsh Assembly Government.

7.4 Cardiff Institute of Society, Health and Ethics (CISHE)

Support the provision in relation to nutritional standards, however the detail of the content of the standards is important and not currently specified.

7.5 British Medical Association Wales (BMA)

Welcomes the fact the proposed Measure provides for regulations that will specify nutritional standards. The BMA accepts that regulation is the best way to do this as it will allow consultation with key stakeholders and allow regulations to change as nutritional requirements and guidelines change.

7.6 British Heart Foundation Cymru

An incremental approach and staged introduction will ensure that caterers are able to deliver on the required standards which will help to promote confidence amongst the whole school community in the changes being implemented. An active consultation and communication programme targeting parents and carers needs to be run by each school.

7.7 Diabetes UK

It would be beneficial if regulations differentiated between saturated, unsaturated and monounsaturated fat and also naturally occurring sugars in unprocessed food – such as fruit – and sugars that are in processed food.

7.8 Children's Commissioner for Wales

Welcomes that the proposed measure extends to the promotion of healthy eating beyond schools including other premises maintained by the local education authority. More stringent food and nutrient based standards are to be welcomed in that they provide equality of provision for all children and young people in Wales.

7.9 Conwy Education Services

The inclusion of other premises needs to be clarified as this may have an impact on extra curricular activities. Consideration is needed on restrictions on what pupils can bring into school and ensuring that a school Code of Conduct involves staying on school site during lunch breaks.

7.10 National Confederation of Parent Teacher Associations (NCPTA)

The food standards appear to be more about excluding whole ranges of food from a child's diet in school as opposed to teaching children to enjoy good quality food and make informed choices. In England, the move to implement the new standards has come before other important issues have been resolved. These include ensuring that all children eligible for free school meals can afford to buy a meal under the new provision.

7.11 Torfaen County Borough Council

Torfaen would like to see included in the proposed Measure legislation for incidental activities such as food supplied for parties and packed lunches provided by parents. Torfaen supports the proposals that Ministers should specify levels of salt, sugar etc. The new standards will mean increased costs.

7.12 National Federation of Women's Institutes – Wales (NFWI)

Concern that pupils will choose less healthy options if they are available – less healthy options should be removed from the menu gradually.

7.13 Snack Nut and Crisp Manufacturers Association (SNACMA)

Schools should encourage a balanced approach to diet and lifestyle – this should not mean that certain foods are demonised and banned. The aim should be to encourage children to eat a diet with improved nutritional balance which cannot be achieved overnight by restricting choice or in isolation of wider healthy balanced lifestyle initiatives in schools. It is essential that a positive approach is taken. The Scottish Government model has set achievable targets and the food industry has been incentivised to invest in the development of products with improved nutritional profiles. It is important to allow parents and children a degree of independence in deciding what their children eat – to that end SNACMA welcome the exclusion of packed lunches from the proposed Measure.

7.14 Welsh Food Alliance

The Welsh Food Alliance support the powers for Ministers to specify nutritional standards and this will drive the appropriate specification of food through local authority procurement. Packed lunches need to be compliant with the recommended standards, with head teachers being responsible for monitoring.

7.15 Food Standards Agency (FSA)

The use of artificial additives is a matter of EU competence and suggest that the Assembly should have regard to the provisions of EU law before legislating to control levels of additives in food or diet.

7.16 Isle of Anglesey County Council, Food and Nutrition Partnership Group

Support the intention to consult pupils, teachers, parents and catering staff during this process. Emphasise the need to avoid increases of school meals prices and the same standards should be in place for lunch boxes.

7.17 Farmers' Union of Wales (FUW)

Agree that the Minister should specify nutritional standards, but there was some concern that the measure does not detail the content of food nor specify the quantities of ingredients such as fat, salt

etc. Nutritional standards should not outweigh the importance of a balanced diet. Agree with the incremental approach to the introduction of the standards. There was strong feeling that the standards of packed lunches should be addressed. It is important to promote locally produced food.

7.20 Ceredigion County Council

Clarity is needed on whether the proposed measure covers food in vending machines and tuck shops.

7.21 Newport Appetite for Life Working Group

The nutritional standards will have a financial impact – better quality ingredients are more costly. Head teachers cannot be expected to police food brought into the school by those who hire the building. The focus seems to be on obesity, it is important to meet the needs of those pupils who depend on a school meal to obtain their nutritional requirements. There needs to be clarity regarding the permitting of artificial additives which may be used to reduce sugar content.

7.22 British Dietetic Association

The inclusion of other premises needs to be clarified as this may have a big impact on increasing extra curricular activities, out of hours learning, after school clubs, community focused schools and activities set up by schools in local authority leisure centres. Appropriate education, marketing and engagement with children, young people, parents, governing bodies, catering staff (in providing information, undertaking consultations, collating opinions and giving feedback) is critical. There is some uncertainty in relation to the inclusion of artificial additives.

7.23 Minister for Children, Education, Lifelong Learning and Skills

Ministers already have powers to introduce more stringent standards not just for school lunches but also minimum standards for the provision of food and drink across the whole of the school day – we do not need a Measure.

8. Section 8 - Drinking water in schools

8.1 Governors Wales

Governors Wales is supportive of the proposals for drinking water in schools.

8.2 National Association of Head Teachers (NAHT)

There will be additional costs of purchasing bottled water, administrative, maintenance and energy costs on top of the costs of purchasing water coolers.

8.3 Cardiff Institute of Society, Health and Ethics (CISHE)

Important to ensure the availability of drinking water, but important to restrict access to sweet and/or carbonated drinks on school premises.

8.4 UCAC

Agree that this is important, but maintaining water coolers has serious financial implications.

8.5 Children's Commissioner for Wales

Toilet provision should be addressed in schools so that the aims of the proposed Measure are not undermined. Hydration has been identified as a key factor in children's learning, but many children do not drink because they do not want to use toilet facilities.

8.6 Conwy Education Services

It should be the duty of caterers to provide water with meals. There is a cost implication to ensure enough distribution points are funded per head of population.

8.7 Estyn

Children are more likely not to drink enough water in the day where toilet provision is unsatisfactory. The Welsh Assembly Government should work with local authorities and schools to introduce minimum standards for school toilets.

8.8 Torfaen County Borough Council

Supports the availability of drinking water, although costs should be reflected in the revenue support grant.

8.9 National Federation of Women's Institutes – Wales (NFWI)

Strongly agree that freely available drinking water should be a duty, but not the need to provide water coolers in schools. Water should be filtered from mains supplies and that hygiene should be considered in the choosing of water points.

8.10 Powys County Council, Head of Local and Environmental Services

A major issue for local authorities if it is to be their responsibility to meet the requirement for drinking water, rather than being the school's responsibility.

8.11 Snack Nut and Crisp Manufacturers Association (SNACMA)

Fully support the duty on LEAs.

8.12 Welsh Food Alliance

This is a basic human right.

8.13 Association of School and College Leaders (ASCL)

The responsibility should rest with the LEA.

8.14 Association of Teachers and Lecturers (ATL)

Welcomes the provision but it could be diminished by the current state of school toilets.

8.15 Isle of Anglesey County Council, Food and Nutrition Partnership Group

Agree, but financial support is required to enable all schools to install a 'tap' instead of water coolers due to cost implications, any maintenance should be paid for by the authority.

8.16 Farmers' Union of Wales (FUW)

Support this, but this should not put constraints on existing budgets.

8.17 Monmouthshire County Council, Healthy Schools Coordinator

Supports the availability of drinking water, although costs should be reflected in the revenue support grant.

8.18 Rhondda Cynon Taf, Director of Education and Lifelong Learning

Cost implications as there will be a requirement to involve public health colleagues to check and analyse the water to ensure its safety.

8.19 Ceredigion County Council

In line with promoting sustainable development, further detail should be placed in the proposed Measure that water should be piped mains supply where practicable.

8.20 Newport Appetite for Life Working Group

Agree in principle, but this has direct financial implications for the LEA and schools.

8.21 British Dietetic Association

Drinking water must be free, with appropriate access within school and plentiful - not from drinking fountains.

8.22 Minister for Children, Education, Lifelong Learning and Skills

There is already a requirement that a school shall have a wholesome supply of water for domestic purposes, including a supply of drinking water. Appetite for Life proposes that water should be provided free of charge at a number of sites throughout the school, physically divorced from the toilets and throughout the school day.

9. Section 9 - Promotion of meals in schools and other educational establishments

9.1 UCAC

Agree that pupils should be encouraged to eat school meals and that the identity of pupils taking free meals should be protected. Guidelines for providers should state that local produce should be used wherever possible.

9.2 Carmarthenshire County Council, Head of Resources Management

If all pupils were to receive free school meals, a number of efficiency savings could be made (data collection, audit etc) which could assist in supporting free school meals for all and remove the stigma for those currently in receipt of free school meals.

9.3 Cardiff Institute of Society, Health and Ethics (CISHE)

Support the promotion of taking school meals, research shows that the nutritional content of packed lunches and in particular lunches bought away from the school site is inferior to school meals.

9.4 British Heart Foundation Cymru

More clarity needed as to what 'the highest percentage possible' and what 'reasonable steps' mean in relation to the uptake of free school meals. Catering staff will need training from registered dietitians/nutritionists in order to implement nutritional analysis and monitor the uptake of school meals.

9.5 Conwy Education Services

Offering a free school meal to all school pupils would be the most effective way of ensuring 100% take up of school meals. Welcome the emphasis on encouraging the uptake of free school meals.

Authorities with clients who have an entitlement should be encouraged to complete applications for children.

9.6 Children in Wales

Would be keen to see a duty placed on LEAs to promote the entitlement of pupils to free school meals. The term 'reasonable steps' should be removed and replaced with the term 'duty' to strengthen the requirement on LEAs to ensure that every pupil who is entitled to a free school meal receives one.

9.7 Snack Nut and Crisp Manufacturers Association (SNACMA)

It is important to allow parents choice in how to feed their children and it is important to involve and engage pupils in the choice of food available to them.

9.8 Food Standards Agency (FSA)

In addition to encouraging the uptake of free school meals, it may be a helpful precursor to undertake some investigation to understand the barriers to improved uptake.

9.9 Farmers' Union of Wales (FUW)

If parents were aware of the source and quality of products this could increase the uptake of school meals.

9.10 Monmouthshire County Council, Healthy Schools Coordinator

There will be a financial and administrative impact on the promotion of school meals.

9.11 Rhondda Cynon Taf, Director of Education and Lifelong Learning

The Authority has high levels of deprivation and there are concerns over the gap between those pupils whose families fall in the category of receiving free school meals and how many people use this entitlement. Consideration of providing free school meals to all pupils.

9.12 Newport Appetite for Life Working Group

School canteens would not be able to cope with demand if high volumes of pupils access school meals. The ultimate aim should be for the Welsh Assembly Government to provide a free school meal for all. Pupils in secondary schools would be more likely to take their free school meal entitlement if other pupils were not allowed off the school site during the lunch break.

9.13 Minister for Children, Education, Lifelong Learning and Skills

An electronic system for local authorities to streamline the process for free school meal eligibility checking has been introduced which should encourage the take up of free school meals. Part of the Appetite for Life Coordinator's role is to work with schools and local authorities to develop and implement a marketing and communications strategy. The Welsh Assembly Government is in the process of commissioning a literature review on take up of free school meals – it is important to understand the reasons why children do not use their entitlement before developing strategies to overcome them

10. Section 10 - Protection of the identity of pupils receiving free school lunches

10.1 Welsh Local Government Association and Association of Directors of Education in Wales

The promotion of the uptake of free school meals is not costed – this could have a significant impact on schools.

10.2 Governors Wales

Governors Wales agrees with the protection of the identity of pupils receiving free school meals.

10.3 Estyn

Pupils who are eligible for free school meals often do not take up their meal if they are allowed off site because they wish to be with their friends. Targets should be set for the uptake of free school meals.

10.4 Torfaen County Borough Council

The Council supports this, as long as there is funding to support the initiative.

10.5 Children in Wales

The term 'reasonable steps' is not sufficiently robust enough to ensure that LEAs have a duty to protect the identity of pupils entitled to free school meals. The term 'have regard to' should be replaced with 'comply' with guidance.

10.6 Powys County Council, Head of Local and Environmental Services

Implication for training and protocol to ensure that staff do not identify a pupil as taking a free school meal.

10.7 Association of Teachers and Lecturers (ATL)

Welcome these provisions but would like to see a commitment to the introduction of cashless systems for all schools incorporated into this Measure.

10.8 Denbighshire County Council

It is difficult to see how anonymity can be provided in all secondary schools.

10.9 Newport Appetite for Life Working Group

Agree in principle, but the 'smart card' system which would increase the take up of free school meals would be costly.

Consultation with Children and Young People

1. Background

In considering its approach to scrutiny of the proposed Healthy Eating in Schools (Wales) Measure 2008 at its 13 May meeting, the Committee agreed it would be important to seek the views of children and young people.

The Legislation Office worked closely with Assembly Parliamentary researchers and the Education Service to compile two questionnaires aimed at 7 – 11 year olds and 11 – 18 year olds. The questionnaires along with a letter to the head teacher were sent to a 10% random sample of schools across Wales.

In addition, the Education Service used the questionnaires as part of their internal and out-reach education programmes. Schools and colleges visiting the Siambwr Hywel debated 'healthy eating', including some of the specific provisions contained in the proposed Measure. The electronic voting system was used to determine pupils' views on the provisions. Outreach officers also helped facilitate classroom debates in a number of schools about the main issues highlighted in the consultation document and the proposed Measure.

A total of **736** questionnaires were received.

2. Results of questionnaires

2.1 7 – 11 year olds

A total of **526** responses were received.

Question 1: *The Welsh Assembly Government and schools must encourage school children to eat healthily when they are at school.*

Yes	85%
No	13%
Not sure	2%

Question 2: *Schools must ask for, and listen to, school councils' ideas about how to encourage school children to eat healthily when they are at school.*

Yes	85%
No	14%
Not sure	1%

Question 3: *The Welsh Assembly Government can, if it wants, decide to allow only healthy food and drink to be provided in schools. This could mean that schools may not be allowed to provide certain food and drinks, like sweets, crisps and fizzy drinks, as part of school meals or in tuck shops.*

Yes	37%
No	62%
Not sure	1%

Question 4: *The Welsh Assembly Government must ask for, and listen to, school councils' views before deciding on what food and drink should be allowed in schools.*

Yes	86%
No	11%
Not sure	3%

Question 5 asked: *Schools must try to make sure that healthy school meals are available to pupils and encourage as many pupils as possible to eat them.*

Yes	79%
No	17%
Not sure	4%

In the second part of the questionnaire pupils were asked to decide which of two statements they agreed with most:

I think there is enough being done in schools to try and make sure pupils eat healthily.

41%

I don't think enough is being done in schools to try and make sure pupils eat healthily

42%

17% made no comment

I think there should be a law to try and make sure that school children eat healthily in school.

46%

I don't think there should be a law to try and make sure that school children eat healthily in school.

43%

11% made no comment

2.2 11 – 18 year olds

A total of **210** responses were received.

Question 1: *There should be a law in Wales that makes sure healthy eating is promoted amongst pupils*

Yes **84 %**

No **12 %**

Not sure **4%**

Question 2 asked: *Welsh Ministers, governing bodies, head teachers and local authorities must be responsible for promoting healthy eating amongst school children.*

Yes **78%**

No **19 %**

Not sure **3 %**

Question 3 asked: *The Schools' Inspector must inspect schools on what they are doing to promote healthy eating.*

Yes **80%**

No **15%**

Not sure	5%
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Question 4 asked: *Welsh Ministers and governing bodies must report each year on what they are doing to promote healthy eating in schools.*

Yes	78%
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No	18 %
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Not sure	4%
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Question 5 asked: *Welsh Ministers can specify the nutritional standards of food and drink provided in schools, including the maximum levels of salt, sugar and artificial additives. This could mean that schools may not be allowed to provide certain food and drinks, like sweets, crisps and fizzy drinks, as part of schools meals or in tuck shops.*

Yes	65%
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No	31 %
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Not sure	4%
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Question 6 asked: *Local education authorities must promote the availability of school meals and encourage pupils to have school meals.*

Yes	76%
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No	23%
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Not sure	1%
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Question 7 asked: *Some pupils who are allowed free school meals may not want other pupils to know about this. Local education authorities must try to ensure that the names of pupils receiving free school meals must be kept confidential.*

Yes	74%
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No	19 %
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Not sure	7%
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Question 8 asked: *Local education authorities must ensure that drinking water is readily available to pupils?*

Yes	88%
No	4 %
Not Sure	8%

The second half of the questionnaire for 11 – 18 year olds asked for comments on selected consultation questions. Below is a summary of the main themes that have emerged.

Question 9: *If the Measure is passed, what impact would it have on you?*

Out of the comments received a majority said that if passed the Measure would have little or no effect as ‘I already eat healthily’, ‘my school is already a healthy school’ and ‘healthy eating is already promoted in my school’. However, some children commented that the Measure would have a positive impact as it would mean that ‘better food’ would be available and children will be ‘healthier, fitter’ and ‘concentrate in class more’. A small number of children said that it would ‘make them sad’; and one suggested ‘I like chips, but I would try healthy food’. A number of pupils associated eating healthy food with not ‘getting fat’.

Question 10: *Do you think anything else to do with healthy eating in schools should be included in this Measure?*

Of those who commented a high proportion were concerned with the cost of healthy food in schools. A number of comments suggested ‘healthy food should be free and you should only pay for unhealthy/greasy food’. A significant number of pupils suggested that more free sports activities should be available, with a small number suggesting the introduction of ‘healthy eating lessons’ in schools. A number suggested that ‘promotion of healthy food at home’ should be a high priority with ‘a list of healthy foods for lunch boxes’ made available for parents. A large number suggested ‘getting rid of vending machines’ in schools would help. A significant number also suggested making a greater variety of fruit and vegetables available with a small number suggesting ‘free fruit at break times’. A minority opinion was that nothing else should be included and it is important ‘to give kids a choice’.

Question 11: *If the Measure is passed do you think it will make pupils eat healthier food in schools?*

Out of those who commented a large number said that the Measure would make pupils eat healthier food in schools. The majority of those who didn’t think that it would make a difference said that they would take in their own packed lunches. Other suggested that parents also need encouragement and that there needs to be balance.